



SUBCOMMITTEE ON COMMISSION APPOINTMENTS Meeting Minutes

Date/Time: Friday, February 16, 2018, at 11:10am

Where: City Hall Committee Conference Room

Attendees: Councilmembers Nuñez and Phan; Interim City Manager Dianne Thompson; Acting Assistant City Manager/Recreation & Community Services Director Renée Lorentzen; City Engineer Steve Erickson; City Clerk Mary Lavelle; Acting Planning Director Jessica Garner; and Recording Secretary Rachelle Currie

- I. **Call To Order.** Councilmember Nuñez called the meeting to order at 11:10 am.
- II. **Flag Salute.** City Engineer Steve Erickson led the Pledge of Allegiance.
- III. **Roll Call.** Both Councilmembers and staff are present.
- IV. **Approval of Agenda.** Councilmember Nuñez motioned, seconded by Councilmember Phan, to approve the agenda.
- V. **Approval of Minutes.** Councilmember Nuñez motioned, seconded by Councilmember Phan, to approve the January 5, 2018; and February 5, 2018 minutes.
- VI. **Public Forum.** None
- VII. **Discussion**
 - 1) **City Commission Organization.** Discussed after Item 2-Commissioner Handbook. Acting Assistant City Manager Renee Lorentzen presented proposed list of City commissions as discussed from February 5, 2018 meeting. They are as follow:
Proposed Commissions:
 - a) Economic Development & Trade Commission – merging of Economic Development and Sister Cities Commissions
 - b) Environmental and Sustainability Commission – former Recycling Source and Reduction Advisory Commission
 - c) Housing and Community Development Commission – former Community Advisory Commission
 - d) Library Advisory Commission
 - e) Public Safety Commission
 - f) Parks, Recreation and Cultural Resources Commission
 - g) Planning Commission – will be tasked of transportation topics
 - h) Technology Commission – name change for Telecommunications Commission
 - i) Veterans Commission
 - j) Youth & Senior Advisory Commission
Proposed City Committees:
 - a) Emergency Preparedness Ad Hoc Committee – former Emergency Preparedness Commission and will be a committee off of new Public Safety Commission
 - b) Public Art Ad Hoc Committee – will handle all public art
Retired/Deleted Commissions:
 - a) Arts Commission – gallery and grants go to PRCRC
 - b) Bicycle Pedestrian Advisory Commission – trails and events to PRCRC; circulation to Planning
Changes from Subcommittee are:
 - a) Environmental and Sustainability Commission – remove the word ‘and’ (Councilmember Nuñez) Councilmember Phan changed the name, Councilmember Nuñez agreed to Energy Sustainability Commission
 - b) Keep Public Safety Commission but have Public Safety Community Advisory Committee as subsection (Councilmember Phan); Councilmember Nuñez asked staff to bring this to the next meeting
 - c) Library Advisory Commission stays (Councilmember Nuñez)
 - d) Overall merging of EDC and Sister Cities (Councilmember Nuñez)

- e) Science Technology Innovation Commission renaming Technology Commission (Councilmember Phan)
- f) Subcommittee will review applications for Veterans Commission
- g) Youth and Senior Advisory Commissions will be kept separate
- h) Public Art Ad Hoc Committee is good

2) Commissioner Handbook. City Clerk Lavelle distributed draft handbook and was discussed intensively. Councilmember Nuñez asked if term limits could be added, City Clerk replied yes. He asked why the commissioner stays on the seat until new appointment gets approved when the term has expired. City Clerk responded that it is a legal guidance from the City Attorney; Councilmember Nuñez would like to see that document, City Clerk will provide the memo.

Councilmember Nuñez would like the attendance be looked at in terms of distinguishing excused and unexcused. Interim City Manager Dianne Thompson mentioned that she has seen it handled different ways at other cities. She suggested to leave the issue of excused/unexcused out – if the commissioner is not at the meeting, it should absent. Ms Lavelle explained that in the Council Handbook it stated that three or more absences, the matter is brought to the City Council. Councilmember Nuñez asked about City Council attendance. Councilmember Phan said that there's a state law about 3 months' worth or a third of the number of meetings. Staff will look into this state law.

Councilmember Phan inquired if AB1234 is applicable to all commissioners; Clerk Lavelle said no, it is only applicable to Planning Commissioners, however there's a requirement for all City Commissioners to view the Milpitas' Open Government Ordinance and sign an affirmation.

Councilmember Phan inquired about costs related to providing all commissioners City email address; staff will come back to the subcommittee with the cost information at the next meeting. If there are no costs he would like for all commissioners to have City email addresses so when they discuss City business they should be subject to PRA.

Councilmember Nuñez asked about Parliamentary Procedures; Clerk Lavelle said that we do not follow Robert's Rule. Councilmember Phan asked if the requirement as registered voters is a state law requirement for Planning Commissioners. Ms Lavelle will check on it. Councilmember Nuñez asked if there is a requirement that the commissioner is to be a residence or registered voter. Ms Lavelle said that there exemptions. Acting Assistant City Manager/Recreation Director Renee Lorentzen said that staff will add alternates shall remain in audience until quorum is achieved and they are not to participate as alternate.

Councilmember Phan inquired about Conflict of Interest guidelines, Ms Lavelle responded that these are legal guidelines relating to financial decisions as advisers to the City Council. He added that it is best practice to have conflict of interest filings from all commissioners; the City Clerk said that it is not applicable to all commissions. Ms Lorentzen suggested that there may be a way they could be asked about conflict of interest even if it's not through Form 700. Councilmember Phan suggested that it would be better to have the commissioners be required to file instead of an honor system. Ms Lorentzen will check with the City Attorney.

3) Consider Current Economic Development Commission Appointments and Vote to Remove One Member. Continued to next meeting.

4) South Bay Odor Stakeholder Group. Councilmember Nuñez suggested that the appointees should have a term limit and some type of report to be given back to the staff.

5) Commissioner Re-Appointment and New Commissioner Appointment. Not discussed.

VI. Next Meeting. Both Councilmembers agreed to schedule another meeting on Monday, February 26, 2018 at 9:00am.

VII. Adjournment. Councilmember Nuñez motioned, and seconded by Councilmember Phan to adjourn the meeting at 12:34pm.